

**REMARKS:**

**I. Introduction**

In the Office Action mailed on July 15, 2005, the Examiner rejected claims 1 to 3, 5 to 14, 18 to 24, 26 to 32, and 34 to 38. The present amendment cancels claims 10, 17, 26, and 35, amends claims 1, 6, 19, 23, and 31, and adds new claims 39 and 40. Accordingly, claims 1 to 9, 11 to 16, 18 to 25, 27 to 34, and 36 to 40 are now pending in this application.

**II. Claim Rejections Based on 35 U.S.C. § 102(b)**

(a) The Examiner rejected claims 1, 2, 5 to 8, 10 to 12, 18 to 21, 23, 26 to 28, 30 to 32, 35, 36, and 38 under 35 U.S.C. 102(b) as being anticipated by Aielli (US 6,186,523).

Independent claim 1, and claims dependent therefrom, are allowable because they each include the limitation of "wherein the first and second legs sections form abutments limiting outward pivotable movement of the first and second legs respectively". No prior art of record reasonably discloses or suggests the present invention as defined by independent claim 1. Aielli discloses having pivot joints 18 with vertically spaced apart flanges. The handles 16 are free to outwardly pivot at the joints 18. Reconsideration and withdrawal of the rejection is requested.

Independent claim 11, and claims dependent therefrom, are allowable because they each include the limitation of "wherein each of the leg sections include parallel and spaced apart upper and lower walls and the first and second handle arms extend between the upper and lower walls at least from the axis of rotation to the first and second pivot axes respectively". No prior art of record reasonably discloses or suggests the present invention as defined by independent claim 11. Aielli discloses having pivot joints 18 with vertically spaced apart flanges. The flanges are only located at the pivot joints 18. The front end of the handles 16 extend between the handles at the joints 18. Reconsideration and withdrawal of the rejection is requested.

Independent claim 23, and claims dependent therefrom, are allowable because they each include the limitation of "a clamping device extending between the first and second arms and removably applying a clamping force between the first and second handle arms to clamp

the tray between the first and second handle arms.” No prior art of record reasonably discloses or suggests the present invention as defined by independent claim 23. Aielli discloses a tray 44 having two J-brackets 42 that connect a forward end of the tray to the frame 14 and two spring pin brackets 43 that connect a rear end of the tray 44 to the handles 16 by the use of spring pins. Thus, the handles 16 are directly connected to the tray 44. While the tray 44 is located between the handles 16, the handles 16 in no way clamp the tray 44 therebetween. There is not a clamping device forcing the handles 16 toward one another to clamp the tray 44 between the handles 16. Reconsideration and withdrawal of the rejection is requested.

Independent claim 31, and claims dependent therefrom, are allowable because they each include the limitation of “a clamping device extending between the first and second handle arms and removably applying a clamping force between the first and second handle arms to clamp the tray between the first and second handle arms”. No prior art of record reasonably discloses or suggests the present invention as defined by independent claim 31. Aielli discloses a tray 44 having two J-brackets 42 that connect a forward end of the tray to the frame 14 and two spring pin brackets 43 that connect a rear end of the tray 44 to the handles 16 by the use of spring pins. Thus, the handles 16 are directly connected to the tray 44. While the tray 44 is located between the handles 16, the handles 16 in no way clamp the tray 44 therebetween. There is not a clamping device forcing the handles 16 toward one another to clamp the tray 44 between the handles 16. Reconsideration and withdrawal of the rejection is requested.

**(b)** The Examiner rejected claims 1 to 3, 5, 7, 8, 10 to 14, 18, 20, 21, 31, 32 and 38 under 35 U.S.C. 102(b) as being anticipated by Scott (US 2,672,348).

Independent claim 1, and claims dependent therefrom, are allowable because they each include the limitation of “wherein the first and second legs sections form abutments limiting outward pivotable movement of the first and second legs respectively”. No prior art of record reasonably discloses or suggests the present invention as defined by independent claim 1. Scott discloses having bearings 14, 15 with flat extensions 17, 18. The bars 11, 12 extend over the extensions and are secured with fastening means. The bars 11, 12 are free to outwardly pivot about the fastening means. Reconsideration and withdrawal of the rejection is requested.

Independent claim 11, and claims dependent therefrom, are allowable because they each include the limitation of "wherein each of the leg sections include parallel and spaced apart upper and lower walls and the first and second handle arms extend between the upper and lower walls at least from the axis of rotation to the first and second pivot axes respectively". No prior art of record reasonably discloses or suggests the present invention as defined by independent claim 11. Scott discloses having bearings 14, 15 with flat extensions 17, 18. The bars 11, 12 extend over the extensions and are secured with fastening means. No wall is provided above the bars 11, 12. Reconsideration and withdrawal of the rejection is requested.

Independent claim 31, and claims dependent therefrom, are allowable because they each include the limitation of "wherein each of the leg sections include parallel and spaced apart upper and lower walls and the first and second handle arms extend between the upper and lower walls at least from the axis of rotation to the first and second pivot axes respectively". No prior art of record reasonably discloses or suggests the present invention as defined by independent claim 31. Scott discloses having bearings 14, 15 with flat extensions 17, 18. The bars 11, 12 extend over the extensions and are secured with fastening means. No wall is provided above the bars 11, 12. Reconsideration and withdrawal of the rejection is requested.

### **III. Claim Rejections Based on 35 U.S.C. § 103(a)**

(a) The Examiner rejected claims 9, 22, 29 and 37 under 35 U.S.C. 103(a) as being unpatentable over Aielli (US 6,186,523) in view of Donze et. al. (US 5,026,079).

Claims 9, 22, 29, and 37 are allowable because they depend from allowable independent claims 1, 11, 23, and 31 respectively as discussed above and independently allowable for novel and nonobvious matter therein. Reconsideration and withdrawal of the rejection is requested.

(b) The Examiner rejected claims 24 and 34 under 35 U.S.C. 103(a) as being unpatentable over Aielli (US 6,186,523) in view of Leger et. al. (US 6,017,053).

Claims 24 and 34 are allowable because they depend from allowable independent claims 23 and 31 respectively as discussed above and independently allowable for novel and

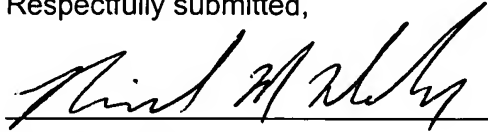
nonobvious matter therein. Reconsideration and withdrawal of the rejection is requested.

#### IV. CONCLUSION

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is found that that the present amendment does not place the application in a condition for allowance, applicant's undersigned attorney requests that the examiner initiate a telephone interview to expedite prosecution of the application.

If there are any fees resulting from this communication, please charge same to our Deposit Account No. 16-2326.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard M. Mescher", is written over a horizontal line.

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October 14, 2005